

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETER ALLEN, *et al.*

Plaintiffs,

-VS.-

CARL KOENIGSMANN, *et al.*

Defendants.

ORDER TO PRODUCE

19-cv-8173 (LAP)

ECF

**TO: Mark Miller, Superintendent
Green Haven Correctional Facility
594 Rt. 216
Stormville, New York 12582-0010**

WHEREAS Wayne Stewart DIN# 17A1622 is a class member in the above-captioned matter;

WHEREAS Mr. Stewart is currently in custody at Green Haven Correctional Facility in Stormville, New York; and

WHEREAS Mr. Stewart's testimony is needed for a trial in the above-captioned matter; and

WHEREAS Green Haven Correctional Facility has already been ordered to reserve the video conferencing equipment for August 11, 2023; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF GREEN HAVEN CORRECTIONAL FACILITY produce Wayne Stewart on August 11, 2023, at 10:30am until his testimony is complete and/or the day's proceedings have ended; and

IT IS FURTHER ORDERED that Mr. Stewart must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Stewart has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: July 31, 2023

So ordered:



LORETTA A. PRESKA, U.S.D.J.